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JAN 31 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/531,687
Applicant : Garry A. Palmateer
Filed : 10/17/2002
TC/A.U. : Not yet assigned
Examiner : Not yet assigned

Confirmation No. 3729

Docket No. : 941960
Customer No. : 33798

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

RESPONSE

Sir:

In response to the Notification of Defective Response dated January 20, 2006, please consider the following remarks.

The specification of the above-captioned application does not disclose a nucleotide and/or amino acid sequence for which a "Sequence Listing" is required under 37 CFR 1.821. Therefore, Applicant is not required to provide a "Sequence Listing" in either paper or computer readable form.

In view of the above remarks, Applicant submits that the all requirements for National Entry have been met and requests withdrawal of the further requirements. Applicant has enclosed a copy of the Attorney/Applicant Copy of the Notification of Defective Response since the return copy was not included in the mailing.

Respectfully submitted,

ANISSIMOFF & ASSOCIATES

Date: January 31, 2006

By



Hans Koenig
Reg. No. 46,474
Tel.: (519) 673-5591

Attachments



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address COMMISSIONER FOR PATENTS
P.O. Box 1430
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/531,687	Garry A Palmateer	941960

INTERNATIONAL APPLICATION NO.

PCT/CA02/01557

I.A. FILING DATE

PRIORITY DATE

10/17/2002

33798
ANISSIMOFF & ASSOCIATES
RICHMOND NORTH OFFICE CENTRE
SUITE 201
235 NORTH CENTRE RD.
LONDON, ON N5X 4E7
CANADA

CONFIRMATION NO. 3729

371 FORMALITIES LETTER

OC000000017879466

Date Mailed: 01/20/2006

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Copy of the International Application filed on 04/15/2005
- Copy of the International Search Report filed on 04/15/2005
- Copy of IPE Report filed on 04/15/2005
- Preliminary Amendments filed on 04/15/2005
- Information Disclosure Statements filed on 04/15/2005
- Oath or Declaration filed on 11/02/2005
- Small Entity Statement filed on 04/15/2005
- U.S. Basic National Fees filed on 04/15/2005
- Assignment filed on 11/02/2005
- Power of Attorney filed on 04/15/2005
- Specification filed on 04/15/2005
- Claims filed on 04/15/2005
- Abstracts filed on 04/15/2005
- Drawings filed on 04/15/2005

Applicant's response filed 11/02/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 09/19/2005 have not been completed.

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice

published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/531,687	PCT/CA02/01557	941960

FORM PCT/DO/EQ/916 (371 Form/titles Notice)

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JAN 31 2006

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N5X 4E7
Ph: (519) 673-5591
Fax: (519) 673-6784**FAX TRANSMITTAL****TO: Commissioner for Patents
United States Patent and Trademark Office**
FAX: 571-273-8300**CC:****FROM: Hans Koenig****MATTER #: 941960****DATE: January 31, 2006****# OF PAGES: 5****RE: United States Patent Application 10/531,687**

Attached are:

1. Transmittal Form
2. Response to Notification of Defective Response
3. Copy of Notification of Defective Response

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us by mail at the address noted above. Thank you.

Anissimoff & Associates

Page 1

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

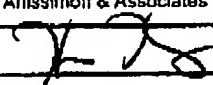
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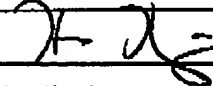
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/531,687	RECEIVED CENTRAL FAX CENTER JAN 31 2006
	Filing Date	10/17/2002	
	First Named Inventor	Garry A. Palmateer	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	4	Attorney Docket Number	941960

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Anissimoff & Associates		
Signature			
Printed name	Hans Koenig		
Date	January 31, 2006	Reg. No.	46,474

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Hans Koenig	Date	January 31, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.